

Application No. 10/078,497

REMARKS

Applicant has carefully studied the outstanding Official Action mailed on September 16, 2003. This response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Claim 12 stands rejected under 35 USC §102(b) as being anticipated by Hahn et al. (US Patent 5,945,144).

Claims 1-11 and 13 stand rejected under 35 USC §103(a) as being unpatentable over Hahn et al. in view of Cuperus (US Patent 5,256,435) and Toh (US Patent 5,786,018).

With regard to the above rejections, Examiner correctly states that Hahn and all of the rest of the cited art disclose "extruding paste to form the pasta". As is well known, extruding involves drawing the paste through some opening and cutting the drawn paste to size. It is also clear and well known that round balls of pasta cannot be made by extrusion of the paste. The reason is simple: by cutting the drawing dough or paste to size one forms a flat surface with the knife or cutting tool. One simply cannot get a round ball with extrusion.

Accordingly, Applicant respectfully traverses the above §102 and §103 rejections. As stated clearly in the first paragraph of the background, "Maftul consists of small round particles...". Thus it is clear that maftul cannot be made by extrusion, as explained above.

Claims 1 and 12 have been amended to clearly point out this difference. It is respectfully submitted that this amendment places all of the claims in a condition for allowance.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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